DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

5 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention  
10 entitled "APPARATUS AND METHOD FOR THE REPAIR OF ARTICULAR CARTILAGE DEFECTS", the specification of which was filed on 03/30/2004, assigned Serial No. 10/812,609 and identified by Attorney's Docket No. SCAN-1 CON.

15 I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title  
20 37, Code of Federal Regulations, Section 1.56.

I hereby claim priority benefits under Title 35, United States Code, Section 120, of:

SCAN-1 CON

- 2 -

(i) prior U.S. Patent Application Serial No.  
10/261,899, filed 10/01/2002 by Paul Re et al. for  
APPARATUS AND METHOD FOR THE REPAIR OF ARTICULAR  
CARTILAGE DEFECTS (Attorney's Docket No. SCAN-1), which  
5 in turn claims benefit of:

(ii) prior U.S. Provisional Patent Application  
Serial Number 60/326,293, filed 10/01/2001 by Paul Re  
et al. for APPARATUS AND METHOD FOR THE REPAIR OF  
ARTICULAR CARTILAGE DEFECTS (Attorney's Docket No.  
10 SCAN-1 PROV).

I hereby appoint Pandiscio & Pandiscio, P.C., a  
firm composed of Nicholas A. Pandiscio, Registration  
No. 17,293, Mark J. Pandiscio, Registration No. 30,883,  
Scott R. Foster, Registration No. 20,570, and Margaret  
15 M. Slezak, Registration No. 55,625, or any of them, of  
470 Totten Pond Road, Waltham, Massachusetts 02451,  
(Telephone No. 781-290-0060), my attorneys with full  
power of substitution and revocation, to prosecute this  
application and to transact all business in the Patent  
20 Office connected therewith.

Please direct all correspondence in this matter  
to:

SCAN-1 CON

- 3 -

Mark J. Pandiscio  
Pandiscio & Pandiscio, P.C.  
470 Totten Pond Road  
Waltham, MA 02451-1914  
5 Tel.: 781 290 0060  
Fax.: 781 290 4840

Please direct all telephone calls to:

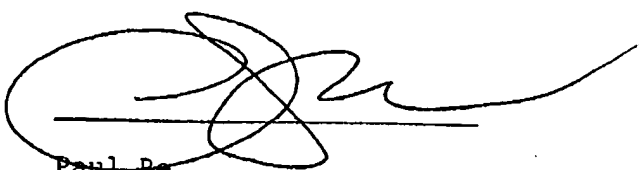
Mark J. Pandiscio or  
Nicholas A. Pandiscio

10 I hereby declare that all statements made herein  
of my own knowledge are true and that all statements  
made on information and belief are believed to be true;  
and further that these statements were made with the  
knowledge that willful false statements and the like so  
15 made are punishable by fine or imprisonment, or both,  
under Section 1001 of Title 18 of the United States  
Code and that such willful false statements may  
jeopardize the validity of the application or any  
patent issued thereon.

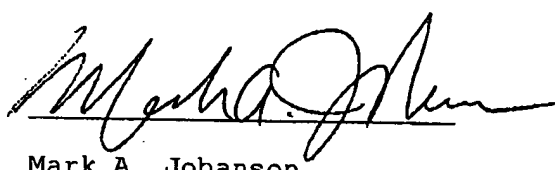
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SCAN-1 CON

- 4 -

Inventor's signature:   
Inventor's full name: Paul Re  
Date: 1-24-8  
5 Residence: 6 Dartmouth Place  
Boston, MA 02116  
Postal address: Same  
Citizenship: USA

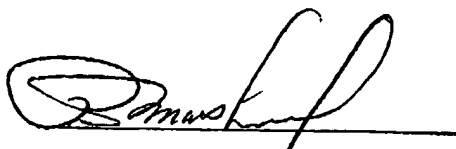
10

Inventor's signature:   
15 Inventor's full name: Mark A. Johanson  
Date: 01-24-08  
Residence: 5 Harvest Lane  
Littleton, MA 01460  
Postal address: Same  
20 Citizenship: USA

SCAN-1 CON

- 5 -

Inventor's signature:



Inventor's full name:

Peter F. Marshall

Date:

January 23, 2008

5

Residence:

6 Kettle Hole Road

Bolton, MA 01740

Postal address:

Same

Citizenship:

USA

10

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